The Southern PATRIOT

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THE STRANGE CASE OF "COKE"

NICKELS ALL GO IN THE SAME SLOT, HOWEVER

We are a little confused by Coca-Cola's public relations program.

The other day we read of the prominent role the soft-drink firm's officials are playing in the drive to raise $25,000,000 for 32 privately financed Southern Negro institutions.

Participating are Robert W. Woodruff, chairman of the Coca-Cola board, and Harrison Jones, a Coca-Cola director.

Then we paused to reflect. We remembered Coca-Cola mogul Jim Farley denouncing civil-rights legislation before a Florida audience some time ago. And we remembered seeing Jim Crow "Coke" dispensers in Alabama —just like the one pictured above.

Is there or isn't there a color line in the cola line?

S. C. Jail Does Not Enchain Spirit Of Fighting Negro Editor

How free is a free press when the editor is serving time on a chain gang? It is free if the editor wears his stripes standing up. It is free if the people for whose sake he went to jail imprison in scorn his jailers.

Next month's issue of the Patriot will be devoted to a report on the youth conference which was held at Allen University in Columbia, S. C., December 29-31.

As of the present writing advance reservations have been received from persons in 18 Southern and border states.

John H. McCray, editor-publisher of the Columbia, S. C., *Lighthouse and Informer*, served a 60-day term because he is a Negro who will not knuckle down to Jim Crow.

In January, 1950, he and a white Associated Press reporter were indicted under a "hidden clause" in South Carolina's law forbidding publication of the name of a white woman involved in a rape case. Neither newspaperman, in death-cell interviews with Willie Tolbert, named the woman concerned, but a grand jury ruled that they had made her "identifiable" and had libeled her.

The white reporter was never brought to trial. McCray pled guilty in return

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High Bench Hears Vital School Cases

On December 9 the U. S. Supreme Court began hearing arguments in five cases challenging segregation in public schools. Grouped together were appeals from South Carolina, Virginia, Delaware, Kansas, and the District of Columbia.

Attorney John W. Davis, representing the state of South Carolina in the Clarendon County suit, epitomized the position of segregation's defenders.

His line of reasoning was roughly as follows:

Changed conditions cannot broaden the terminology of the Constitution. It was not the intention of the Congress which submitted the 14th Amendment to the states to make segregation unlawful, for that same Congress persisted in setting up segregated schools in the District of Columbia.

Segregation, or the lack thereof, is an administrative or political question, not a judicial one. It cannot be said that when legislatures conduct their public

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S. C. Medical Unit Admits 5 Negroes

Not all the white people in South Carolina think they can only survive in a Jim Crow feudal society.

In fact, one of the most inspiring events in recent Southern medical history occurred last month in Charleston.

The Charleston County Medical Society admitted to membership five Negro physicians: Drs. W. H. Felder, C. T. Holloway, T. M. McCottry, T. C. McFall, and N. F. Wilson. By this action, the five, all general practitioners in Charleston, became members of the S. C. Medical Association and the A.M.A., if they so desire.

This marks the first time in South Carolina and in the Deep South that white and Negro doctors have been included, without reservation, in the same organization. Only in Florida does this situation also exist, other states either excluding Negroes or offering them limited "scientific" memberships.

The Charleston group acted after the state society voted last May to delete all mention of color and race from its by-laws and to urge county groups to do the same.

Segregation Per Se Is Placed On Trail

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schools in accordance with the wishes of their people they are acting out of "merely caprice or social prejudice."

In reference to Clarendon County, Davis said there were 2,799 registered Negro students and 295 registered white students. Mixing them, he declared, would result in a situation "that one cannot contemplate with entire equanimity." A strange statement, curiously like a threat!

Attorneys for the Negro plaintiffs centered their attack on the assumption that separation of facilities can ever mean equality of opportunity.

It was conceded that there is a long history of court decisions and legislative action based on the assumption set forth in the Plessey Case of 1896 that segregated facilities which are physically equal are constitutional. But, it was pointed out, the Supreme Court itself had never applied this dicta directly to education.

And, Thurgood Marshall and other counsel contended, segregation is an unhealthy experience for children. It retards their development, leaves their personalities permanently scarred. Equality of opportunity requires equality of experience.

To establish this point, psychological studies such as those of Dr. Frederic Werthan in the Delaware school case of October, 1951 (See the extensive summary in the Patriot of November, 1951) were introduced into the record. While this Delaware case is one of those on appeal before the Supreme Court, it is unique in that it is the state who is appealing an adverse ruling. Both a court of chancery and the state supreme court outlawed segregation in the Delaware schools.

In commenting on the proceedings, Georgia's Governor Talmadge naturally enough aligned himself with South Carolina's Byrnes. "If segregation is ended," he said, "we will change the constitution to abolish public schools and provide subsidies for children to attend private schools of their choice."

Mrs. Eleanor Roosevelt, discussing such proposed "juggling," said, "I cannot . . . believe that any part of this country will cease to be law-abiding. We have come a long way since Civil War days and we are much more mature. Even though we may not like certain policies, we have learned to grit our teeth and bear them and gradually grow accustomed to them.

"That is what I expect to see happen . . . It will make a great difference . . . because just as long as there is segregation there are people among us who are not completely emancipated."

Let us hope that the present day Supreme Court recalls the words of their illustrious predecessor Justice John Marshall Harlan. Although a Kentuckian and a former slave owner, he stood alone in opposition to the "separate but equal" doctrine when it was established in 1896.

In his dissenting opinion he declared: "The white race deems itself to be the dominant race in this country. And so it is, in prestige, in achievements, in education, in wealth, and in power. So, I doubt not that it will continue to be for all time, if it remains true to its great heritage and holds fast to the principles of constitutional liberty.

"But in the view of the Constitution, in the eye of the law, there is in this country no superior, dominant, ruling class of citizens.. There is no caste here. Our Constitution is color-blind, and neither knows nor tolerates classes among citizens.

"In respect of civil rights, all citizens are equal before the law. The humblest is the peer of the most powerful. The law regards man as man, and takes no account of his surroundings or his color when his civil rights as guaranteed by the supreme law of the land, are involved."

So be it, let us pray.

McCRAY'S FIGHT

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for a probated sentence. Later, however, the judged ruled that McCray had violated his probation by keeping two out-of-state speaking engagements, and sentenced him to 60 days at hard labor. He remained at liberty until last November 5, when the state supreme court rejected his appeal for a reversal of sentence.

But, as the following account will show, McCray has not bowed to the pressures that harrass him, nor has his newspaper been stilled.

"The other prisoners don't think of me as a criminal. They can't understand why a man should write something that causes him to land in jail." John McCray smiled when he said this, and gave me as much of a handshake as could be managed through the prison bars.

I had driven out Sunday morning, December 7, to the Newberry County Jail in South Carolina to visit this militant young editor who had been imprisoned for so little cause.

The last time I had seen him was at a statewide rally held last spring in Columbia to encourage the Negroes of South Carolina to register to vote. McCray, as much as any other person, is responsible for the 75,000 Negroes who are now on the voting rolls. It seems hardly accidental that the day after the recent election should have been chosen for the jailing of this foe of Governor Byrnes and his racist program.

McCray looked healthy and in good spirits. Joking about his forced labor, he said, "I think I'll take a week off every year and work in the woods. It's good for a man's soul."

He had no complaint about his treatment and said he was lucky in being in the only jail in the state that meets federal standards. Although 18 prisoners were in a single large room, all wearing stripes, the place did look reasonably clean and well kept up.

McCray is convinced his case is entirely political, a reprisal for his leadership of the Negro community. "When I get out," he said, "I shall make no compromises. I shall fight with all the strength I have and to the last breath for justice for my people."

His stand is not unappreciated. His paper goes on, with Mrs. Andrew W. Simkins, vice-president of the SCEF, volunteering her services as editor; her daughter works in the business office; a student printer from Tuskegee is supervising mechanical operations.

McCray expected to get the usual time off for good behavior and to be freed December 19—in plenty of time to attend the youth conference in Columbia.

In Whiteville, N. C., three defendants in Ku Klux Klan cases pleaded guilty in Recorder's Court and were fined a total of $500 on counts of forcible trespass.

The charges arose out of the floggings of Dorsey Robinson and Esther Lee Floyd, both Negroes.

Nineteen men in Columbus County are now serving prison terms and 50 others are paying some $17,000 in fines as a result of the crackdown on the Klan.

Thus with belated step the law lumbers after the perpetrators of deeds that have seared the conscience of the nation and sickened the world. Punishment is faltering, and perhaps trivial, because of lack of appropriate statutes and because enforcement officers are so closely concerned with the crimes in question.

AN AMERICAN NEGRO THINKS OF RETURNING HOME

The following article is excerpted from *The New Statesman and Nation* of November 22. Written by an American Negro, William Worthy, and appearing in an English publication, it presents an unusual approach to racial problems in the United States.

* * *

Perhaps a "ritual of the wallet," essential in the Southern states but unnecessary during a year in Scandinavia, would summarise my ambivalent and vacillating feelings about returning home—home to a Jim Crow America, and home to the "ways of white folk" which, by our accommodation to them, have decreed psychological instability for a race of fifteen million.

I have performed the ritual on many occasions before leaving my Manhattan apartment for Penn Station or LaGuardia Airport—but only for trips to the Southern states. I should be more likely to forget my ticket to Atlanta or light clothing for torrid New Orleans than to forget to remove from my wallet the photograph of Delores. A train or airplane ticket is not a 365-day-a-year habit, but "the ethics of living Jim Crow," the fact of being a Negro—and of having a white person of the opposite sex as one's best friend—is, in its relentless impact on our every thought, not unlike a toothache.

Heart Skips a Beat

Actually, I have never been arrested in the South nor searched by Southern police. But Henderson, Kentucky and Waco, Texas, are among the places where my heart has skipped beats: in those and other towns angry conductors have threatened to call the police when I refused to move from the "White" coach to the Jim Crow section, or refused to eat at the table "for Negroes only."

Yes, for a year now none of the familiar ritual. During all this time I have had no geographical compulsion (in Southern Scandinavia) to rearrange the contents of my wallet. When I missed an overnight boat from Aalborg to Copenhagen and was offered a bed in a police station cell, the desk-sergeant (a typicaly hospitable Dane, but nevertheless a cop with a cop's mentality) copied my name and address from the driving licence in my wallet, and he obviously saw nothing "incongruous" or taboo about the adjacent photograph.

But in the very act of scrutinising his eyes and of anticipating a possible reaction, I stumbled into an uncomfortable fact: had I not dragged with me, 3,000 miles eastward across the Atlantic Ocean, and smuggled into Scandinavia this monstrous consciousness of irrelevant racial differences? Was I not exemplifying the theory that Negroes abroad find themselves fearing and almost hoping for some sign of prejudice or discrimination which will make them feel at home?

Emerson Shows the Way

It is not exclusively a cultural trait of Negro Americans—this practice of lugging abroad our inhibitions and anxieties. One hundred years ago, in his revolutionary essay on "Self-Reliance," Emerson counselled all of us to first gain mastery of ourselves before "escaping" to other lands, our mental problems, our personal agonies, our frustrations will bob up and meet us—tourists and students and emigres—in the museums and classrooms of Europe, at the Pyramids of Egypt, even, he might have added, in the interracial cafes of Paris. So on my return home I may for awhile be quite unpopular with my fellow Negroes when I begin to draw and articulate some self-reliant conclusions.

To-day all of Washington's blithely hopeful brochures and "loaded" statistical reports on "Negro progress" which are blanketing a sceptical Europe and a hostile Asia cannot smother or camouflage in my mind the grim fact which I must face when my ship steams past the Statue of Liberty: the fact that Negroes for many years to come will be spat upon —and not just in the 13 Southern States.

Since racial prejudice in the 48 States is much more deeply rooted and serves a more widespread, indigenous function than does the current froth and splash of McCarthyism, sooner or later we fifteen million Negroes will regain the "honour" —temporarily forfeited to that tiny band of American Communists—of being the principal goats and villains in the horribly simplistic and mediocre thought-patterns of unpolitical white Americans.

Throughout this painful interlude or reaction and witch-hunt, when the default and war psychosis of white American liberals will add appreciably to our chronic sufferings, what better regenerative projects could we undertake than, as men, to shift over from the low-gear habit of "thinking white" and despising ourselves; than, as individuals, to steep ourselves in compassionate understanding of those whom we must fight; than, as internationalists, to lay the groundwork for long-range co-operation with fellow-sufferers in Asia and Africa; than, as libertarians, to man the nigh-deserted barricades of civil liberties; than, as uninhibited citizens at last, to give birth to an American Gandhi, in this generation or the next?

Books in Brief

EQUALITY OF OPPORTUNITY IN HOUSING. A Handbook of Facts, National Community Relations Advisory Council, 9 East 38th St., New York 16, N. Y. No price given.

A compact and complete study of discrimination in housing. It answers such questions as: What is the policy of government agencies? How successful are integrated projects? How do group relations differ in integrated as compared with segregated housing projects? How does the presence of minority groups affect property values? Model laws and a bibliography are included.

YOUR NEIGHBOR'S HEALTH IS YOUR BUSINESS, by ALBERT Q. MAISEL, Public Affairs Pamphlet No. 180, 22 E. 38th St., New York, 25c.

An excellent overall discussion of what makes a good local public health department.

Jury Investigating Florida Terrorism Indicts Four

First indictments were returned last month by a federal grand jury investigating the reign of racist terror that swept Florida in 1951 and culminated in the Christmas murder of N.A.A.C.P. leader Harry Moore.

Mrs. Helen Russell, vice-president of the Edison Center Civic Asociation, and three alleged Ku Klux Klan members were indicted on counts of perjury.

Mrs. Russell was accused of falsely denying under oath that she had met with a group of Klansmen to discuss ways of preventing Negroes from moving into Carter Village, a housing development in Miami. The others were charged with lying when they denied participation in Klan activities.

In Jacksonville on November 22 a federal grand jury indicted the prosecutor of the Groveland rape case trials on charges of having deprived David M. Reese, a young Negro soldier, of his civil rights.

Jesse W. Hunter, long-time state attorney for the Fifth Judicial District, was charged with having asked for a directed acquittal of Reese on a murder charge and then keeping him in Hernando County jail for 19 months without bringing any charges against him.

This same jury acquitted Lake County Sheriff Willis V. McCall of wrongdoing in the shooting of two of the Groveland defendants, Samuel Shepherd and Walter Lee Irvin.